

Amendment to HB 592

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Legislative Findings. The general court finds that it is in the public interest to offer a safety  
4 training program through the fish and game department in an effort to prevent injury to potential  
5 operators of OHRV's, their passengers, and other users of the trails and highways where they are  
6 operated in this state. The safety training program shall be focused on the special challenges  
7 inherent in the safe operation of these vehicles in both the off road and on road environments,  
8 including discussion of the application of statutory rules of the road applicable when operating on  
9 an approved highway. This program is not intended to serve as a substitute for motor vehicle  
10 driver education training or licensure, and successful completion of the OHRV safety training  
11 program shall not serve in any way to meet the requirements of any law, rule, or regulation  
12 applicable to motor vehicle licensure or operation.

13 2 OHRV Operation and License. Amend RSA 215-A:29, I-a(b) to read as follows:

14 (b) Any person at least 12 years of age, who has successfully completed an approved  
15 snowmobile or OHRV training program, operating an OHRV along the traveled portion of a public  
16 highway, where permitted, who is not licensed to drive as described in subparagraph I(b)(2) shall be  
17 accompanied at all times by a person who is licensed to drive as described in subparagraph I(b)(2),  
18 who is at least ~~[18]~~ **25** years of age, and who shall be legally responsible and be liable according to  
19 the law for personal injury or property damage to others which may result from such operation by  
20 an unlicensed person.

21 3 OHRV Operation and License. Amend RSA 215-A:29, II(a) and the introductory paragraph of  
22 RSA 215-A:29, II(b) to read as follows:

23 II.(a) Except as further specified in subparagraph (b), it shall be prima facie evidence that  
24 any person at least ~~[18]~~ **25** years of age who travels with a person under 14 years of age shall be  
25 legally responsible for the OHRV operation of such person and shall be liable according to law for  
26 personal injury or property damage to others which may result from such person's operation.

27 (b) When more than one person at least ~~[18]~~ **25** years of age is traveling with a person  
28 under 14 years of age, and if any of the following persons over ~~[18]~~ **25** years of age are present, then  
29 only such persons shall be legally responsible and liable under this paragraph:

30 4 OHRV Statistics and Safety. Amend RSA 215-A:32-a to read as follows:

31 215-A:32-a OHRV Statistics; Safety.

32 I. The executive director shall report annually to the registrar of vital records pursuant to

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1 RSA 5-C:2 on any deaths or injuries occurring in the state related to the operation of OHRVs and  
2 snowmobiles.

3 II. The executive director shall ~~[approve]~~ **administer** snowmobile or OHRV safety training  
4 courses ~~[after consultation with the commissioner of the department of health and human services]~~  
5 ***in accordance with rules adopted pursuant to RSA 541-A. The content of such courses***  
6 ***shall be developed in consultation with the commissioner of the department of health and***  
7 ***human services, and shall include information relative to operation of OHRVs at highway***  
8 ***crossings and along approved highways in accordance with the statutory rules of the***  
9 ***road.***

10 5 Effective Date. This act shall take effect 60 days after its passage.

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2019-1852s

AMENDED ANALYSIS

This bill:

I. Requires a person operating an OHRV along the traveled portion of a public highway and who is not licensed to drive to be accompanied by a person who is at least 25 years of age and licensed to drive.

II. Requires any person under 14 years of age operating an OHRV to be accompanied by a person at least 25 years of age who shall be legally responsible for the OHRV operation.

III. Requires the executive director of the fish and game department to administer snowmobile and OHRV safety training courses pursuant to rules.